

CYNTHIA B. AVENS,

Plaintiff,

V.

FARIS C. DIXON, JR., District Attorney;
VIDENT/ECU HEALTH MEDICAL
CENTER DR. KAREN KELLY, Medical
Examiner; JOHN/JANE DOE; JOHN/JANE
DOE; JOHN/JANE DOE,

Defendants.

DEFENDANT DIXON'S MOTION TO
DISMISS

NOW COMES Defendant Faris C. Dixon, Jr., by and through the undersigned counsel, and hereby moves this Court pursuant to Rules 12(b)(1) and (6) of the Federal Rules of Civil Procedure to dismiss this action. In support of this motion, DA Dixon relies on the legal authority and arguments set forth in the supporting brief being contemporaneously filed herewith.

Respectfully submitted, this the 29th day of May, 2024.

JOSHUA H. STEIN
Attorney General

/s/ Chris D. Agosto Carreiro
Chris D. Agosto Carreiro
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Attorney for Defendant Dixon

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day electronically filed the **MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT DIXON'S MOTION TO DISMISS** using the CM/ECF system, which will send notification of such filing to all the counsel of record for the parties who participate in the CM/ECF system and addressed to the following individuals:

Cynthia B. Avens
303 Riverside Trl.
Roanoke Rapids, NC 27870

This the 29th day of May, 2024.

/s/ Chris D. Agosto Carreiro
Chris D. Agosto Carreiro
Special Deputy Attorney General
N.C. Department of Justice